

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KENNETH “KENNY” ALEXANDER

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v.

CIVIL ACTION NO. 6:17cv412

CITY OF TYLER, *et al.*

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the complaint, has been presented for consideration. The Report and Recommendation (Docket No. 12), filed on August 2, 2017, recommends that the complaint be dismissed with prejudice for lack of subject matter jurisdiction and failure to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B). The Report and Recommendation was sent to Plaintiff via certified mail, and it was returned to the Court as “unclaimed” on September 20, 2017. No written objections have been filed. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court. Plaintiff has not identified a basis for federal court jurisdiction and has not stated a claim upon which relief may be granted. In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction and failure to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B).

So ORDERED and SIGNED this 3rd day of October, 2017.



ROBERT W. SCHROEDER III

UNITED STATES DISTRICT JUDGE